In Confidence

Offices of the Minister of Conservation and Minister for Tourism and Hospitality Chair, Cabinet Economic Policy Committee

Milford Opportunities Project: Delivering change

Proposal

This paper seeks your agreement to respond to a business case from the Milford Opportunities Project (MOP) Board with announcements to deliver change at and around Milford Sound Piopiotahi immediately and over the next few years. This will lead to a better world-class visitor experience, while protecting and enhancing conservation values. We are seeking your commitment to a significant work programme which we aim to announce shortly. The announcements will provide certainty to interested parties as they will include some immediate decisions, which we seek your agreement to in this paper.

Relation to Government priorities

This response is consistent with the Government's goals for growing the economy, climate change and delivering better public services and will contribute directly towards new conservation priorities and growing the number of international visitors. In order to target investment into high value conservation outcomes, the conservation priorities are to: generate new revenue and recalibrate costs to build a more financially sustainable conservation system; strengthen relationships with Iwi/Hapū for better conservation outcomes; fix the concession processes; and update, modernise and simplify the conservation regulatory system. [CAB-24-MIN-0293].

Executive Summary

Milford Sound Piopiotahi is part of Fiordland National Park/Te Rua-o-te-Moko, within the Te Wāhipounamu UNESCO World Heritage site, and a global tourism hotspot with approximately 1.1 million tourists visiting each year¹, contributing around \$200 million to the local economy.² However, it has become congested and overcrowded at peak times and has aged and cluttered infrastructure, which creates significant health and safety issues, tarnishes the visitor experience, and impacts the local environment. There is significant potential to capitalise on the Milford Sound Piopiotahi draw as a major tourism destination to drive regional economic development and to create additional revenue for conservation. Current revenue for the Department of Conservation (DOC) at Milford Sound Piopiotahi is circa \$4.3 million per annum.

¹ The MOP business case notes, in 2019, 870,000 tourists visited Milford Sound Piopiotahi by land (via SH94 - 50% by bus, 45% by car and 5% by campervan) with a further 220,000 entering via large cruise ships. This is a pre-Covid peak figure. All indications are that this summer visitation numbers to Milford Sound Piopiotahi have nearly fully returned to pre-Covid levels.

² Milford Opportunities Project Tourism Report 10 March 2021 page 29. Local economy refers to Milford Sound. It excludes associated expenditure in the region such as Queenstown and Te Anau where 90% of visitors day trip from. Milford's contribution to the broader region would therefore be higher than the \$200m.

- The MOP, an independently chaired collaborative involving Ngāi Tahu, key central government agencies, local government and businesses, was established in 2017 to address these challenges and was funded with over \$15 million to deliver a business case. On 27 June 2024, the MOP Board presented its business case for change to the Minister of Conservation and the Minister for Tourism and Hospitality/Associate Minister of Transport, proposing to:
 - 4.1 Establish an International Visitor Access Charge (IVAC) to fund a change programme
 - 4.2 Designate a special amenities area with a statutory management plan for Milford Sound Piopiotahi, separate from the National Park;
 - 4.3 Establish an independent statutory board and separate management entity to deliver the change programme, manage visitors and infrastructure, with DOC retaining regulatory functions like allocation of concessions;³ and
 - 4.4 Give better effect to Ngāi Tahu responsibilities, rights, interests and aspirations.
- Since then, the new Minister for Tourism and Hospitality and the Minister for the South Island/Associate Minister of Transport have been briefed accordingly.

Delivering a better world-class experience, economic growth, and conservation returns

- The MOP business case makes a clear and compelling case for change. We intend to transform Milford Sound Piopiotahi into a better world-class visitor experience that generates significant local economic growth and revenue for conservation. My conservation reforms exploring access charging for public conservation land and reforms to 'concessions' to operate on public conservation land will make the key system changes we need to deliver the key proposals. Milford would likely be the first significant opportunity to implement the changes proposed.
- An implementation plan is needed to generate changes and further work required to deliver some of the business case proposals. This includes exploring how access charging could work at Milford, subject to public consultation on the general framework, and prioritising and sequencing the capital projects that represent the best investment for tourism and regional growth. We also have an opportunity to consider how we can deliver a better world-class experience through partnerships with the private sector and others, such as Ngāi Tahu. This is consistent with DOC's work to shape the future of the visitor network, so it delivers the right experiences to meet demand, and is financially sustainable. We will explore options to leverage private investment to renew and develop Milford Sound Piopiotahi, which could enable larger capital works projects to start sooner, would reduce funding and balance sheet pressure for the Crown and provide conservation-related opportunities for investors.

Some decisions are required now to provide certainty to interested parties

In the immediate term, we need to provide certainty to interested parties. We propose to clarify that Milford Sound Piopiotahi will continue to be managed as part of the Fiordland National Park/Te Rua-o-te-Moko; that the Government will not prevent cruise ship access to Milford Sound Piopiotahi and both it and public access to State Highway 94 from Te Anau to Milford

2

³ Concessions are rights to operate commercial and other activities on public conservation land, which are typically granted on a first-come-first-served basis for a set time, generally up to 30 years or 60 years in exceptional circumstances. There are 209 active concessions held by 141 individual concessionaires at Milford Sound Piopiotahi generating annual fees of \$4.2 million (2022/23).

- will continue and remain unchanged; and that Milford Sound Piopiotahi aerodrome will remain open at this time.
- We want to start investing for change now. We will deliver up to \$7.0 million in visitor experience improvements from DOC's existing capital works programme over the next 12 to 18 months, with the potential for additional projects funded by the International Conservation and Tourism Visitor Levy (IVL) subject to further decisions about the allocation of IVL revenue.

Delivering change for Milford Sound Piopiotahi

Our plan, delivered over the next two to three years, will: refresh the Fiordland National Park Management Plan to set the direction and spatial planning for economic and infrastructure investment and development in Milford; undertake detailed design work on a Milford-specific access charge (if Cabinet agree to progress wider legislative changes to enable access charges); assess, prioritise and sequence the capital works proposed in the MOP business case; and address existing concessions issues while developing a new approach to future renewals and allocations.

Background

- There are long-standing, growing challenges and opportunities at Milford Sound Piopiotahi. Increasing visitor numbers are creating congestion and overcrowding at peak times that is compromising the visitor experience and conservation values by eroding the sense of wilderness and affecting natural ecosystems, such as the marine environment. Aging and cluttered infrastructure in the village and on the SH94 access corridor is not equipped to deal with increasing visitor numbers and there are resilience and safety risks from existing natural hazards (e.g. alpine fault seismic and tsunami, Cleddau river flooding, rockfalls, and avalanches around the Homer Tunnel).
- There is a genuine opportunity to address these issues by harnessing the growth in tourism and visitors' interest in conservation to generate revenue, via an international visitor access charge, that helps fund future development and conservation outcomes, and by having a more supportive regulatory and concessions management system that creates incentives for commercial investment, competition and innovation. The MOP estimates its preferred option would generate an additional \$73.9 million annually in local GDP for the Southland region by the end of the 50-year investment period (\$27.9 million annually by year 12) and an additional 594 full-time jobs (215 by year 12).
- The MOP was established in 2017, as a priority of the 2016 Southland Regional Development Strategy. It was an independently chaired collaborative project involving Ngāi Tahu, key central government agencies, local government and businesses. In 2019, Cabinet agreed to the MOP developing a Master Plan to address the challenges at Milford Sound Piopiotahi [DEV-19-MIN-0159]; and, in 2021, that if advanced, development should be self-funded via a mix of an international visitor access charge and other revenue [DEV-21-MIN-0135].

⁴ The risk of a landslide induced tsunami in Milford Sound was recognised by the Director of Civil Defence in 2014 to be a hazard of national significance under Section 8(2)(b) of the Civil Defence Emergency Management Act 2002.

⁵ Based on a \$100 International Visitor Access Charge and the associated capital works programme and investments in biodiversity. Most biodiversity investment occurs from 2036/37, once initial capital projects are completed.

On 27 June 2024, the MOP Board delivered a business case to ministers setting out the investments and policy, governance and organisational changes required to deliver the Master Plan's objectives. Decisions are now needed on the way forward.

The MOP business case makes a clear, compelling case for change

- MOP addresses the issues and challenges noted above through its self-funding regenerative model, which would deliver increased economic and social benefits for the Southland and Otago regions, improved visitor experiences, more sustainable tourism, greater opportunities for Ngāi Tahu, and increased support for conservation. **Appendix One** outlines the MOP case for change and proposals.
- Five integrated options are presented with different ambitions for the scale of change and different balances between objectives. These are summarised in **Appendix Two**.
- 17 The MOP Board's preferred option (Option 4) proposes to:
 - 17.1 Establish an International Visitor Access Charge (IVAC)⁶ to fund the change programme and deliver visitor and biodiversity outcomes plus a 50-year capital investment programme funded by private debt finance secured against IVAC revenue for visitor facility upgrades, biodiversity investments, mitigating alpine fault (AF8)⁷ seismic and tsunami hazards/safety risks, improving visitor experiences and reducing congestion;
 - 17.2 Designate a special amenities area for Milford Sound Piopiotahi with a statutory management plan separate from the National Park;
 - 17.3 Establish an independent statutory board and separate management entity to deliver the change programme, manage visitors and infrastructure and better allocate concessions to drive innovation and new commercial opportunities, with DOC retaining its regulatory functions; and
 - 17.4 Give better effect to Ngāi Tahu responsibilities, rights, interests and aspirations through suitable participation in decision-making, and commercial opportunities, and increased cultural visibility.
- The business case proposals were informed by extensive Iwi/Hapū and stakeholder engagement and there are high expectations within Ngāi Tahu, the local community, tourism industry, recreational and environmental groups that this project will lead to action on the current issues and challenges.

⁶ \$100 per person for international adult visitors and \$50 for international children visitors 14 years old and under.

⁷ AF8 [Alpine Fault magnitude 8] is an interdisciplinary programme of scientific modelling, coordinated response planning, and community engagement, designed to build resilience to the next magnitude 8+ Alpine Fault earthquake. AF8 is coordinated by Civil Defence and National Emergency Management Agency (**NEMA**).

Our response

Delivering a better world-class experience, economic growth, and conservation returns

- 19 The MOP business case is comprehensive and makes it clear more can be done to deliver regional economic growth, better world-class visitor experiences and tourism, and our conservation outcomes.
- However, we do not necessarily support all aspects of MOP's preferred solution (Option 4) and do not intend to progress it in its entirety.
- This is because the business case provides us with a great opportunity to leverage existing legislative and regulatory reforms that are currently underway to deliver the key proposals. The Conservation Amendment Bill, if enacted in 2026, would provide the tools to advance many of the business case's ideas. The Bill proposes reforms to area planning and concessions to operate on public conservation land and could enable the proposal for a Milford-specific access charge.
- An implementation plan is also required to: bring the detailed area and spatial planning for Milford Sound Piopiotahi under the national park management plan or any replacement management plan; prioritise and sequence the business case's capital investment proposals; review the approach to managing concessions and get some short-term projects underway.

Immediate decisions are needed to give certainty to interested parties

- To provide clarity and certainty for Ngāi Tahu, community stakeholders, tourism operators and investors at Milford Sound Piopiotahi, we seek Cabinet's agreement to the following:
 - 23.1 Milford Sound Piopiotahi will continue to be managed (at this time) as part of Fiordland National Park/Te Rua-o-te-Moko and will not have a separate statutory governance board or management plan;
 - An amenities area will be considered for Milford Sound Piopiotahi with unique planning rules to support economic activity in the area;
 - 23.3 The Government will not prevent cruise ships from accessing Milford Sound Piopiotahi-further work and engagement with Environment Southland will consider mitigating the negative environmental effects of these activities and refine any conditions or access;
 - 23.4 Public access to Milford Sound Piopiotahi and the SH94 road corridor will continue further work with the NZ Transport Agency Waka Kotahi will consider safety, congestion, carparking issues and any other conditions; and
 - 23.5 Milford Sound Piopiotahi aerodrome will remain open at this time with its long-term ownership, funding and resilience to be addressed in the future with the Ministry of Transport.

Delivering change for Milford Sound Piopiotahi

- In addition to the above decisions, we seek to progress many of the key ideas in the business case, in a practical and sustained way we need a solution that can be implemented quickly. We intend to transform Milford Sound Piopiotahi into a better world-class visitor experience, generating significant economic growth and revenue for conservation.
- To do this, we will need: a mechanism to generate additional revenue, such as a Milford-specific access charge (which I expect would be subject to public consultation on the general framework); a new approach to area planning that supports visitor experience and enables economic activity; and investment in infrastructure and development to manage access and mitigate safety hazard risks, while protecting and conserving the surrounding environment.

 \$\forall (2)(f)(iv)\$

Further work is required

to assess, prioritise and sequence the proposed capital works in the business case against our objectives and how much revenue can realistically be generated.

- The Department of Conservation is best placed to lead implementation planning and execution given it has the levers to make the required changes as the regulator of the National Park, provider of the visitor network, and responsible landowner.
- A programme will be established within the Department of Conservation to, among other things, refine the business case and prepare implementation and investment planning. This will be progressed through the Cabinet-authorised Investment Management System (IMS), including the Better Business Case and Gateway assurance requirements.
- Implementation will be enabled by my conservation reform proposals. This includes the scheduled Cabinet consideration of access charges on some public conservation land (para 31 refers) and the proposed Conservation Amendment Bill. The Bill has the potential to streamline the process for updating the Fiordland National Park Management Plan and better enable the creation of amenities areas within National Parks (para 33 refers). More details on implementation can be found in **Appendix Three**.

Short-term investments to enhance the visitor experience and build a cultural narrative

- DOC will deliver up to \$7.0 million in immediate project investments from current funding baselines over the next 18 months that align with the MOP proposals and will benefit conservation and local tourism.
- We could also consider whether there are additional projects that could be funded through the International Conservation and Tourism Visitor Levy (IVL). This would likely be subject to further decisions about the allocation of IVL revenue in conjunction with relevant Ministers.

Designing an access charge and detailed investment planning

Nationwide public consultation has recently finished on the concept of access charges on some parts of public conservation land [CAB-24-MIN-0413 \$9(2)(f)(iv)

Detailed multi-year investment planning for Milford Sound Piopiotahi will determine which investments are strictly necessary to address key issues (such as "AF8" tsunami-related safety risks) and maintain a world-class visitor experience. This plan will bring together capital works investments with potential revenue streams from an access charge and other sources (e.g. concessions, user fees, other investment). We will also explore options to leverage private funding and financing for infrastructure renewals and development at Milford Sound Piopiotahi. This could enable larger capital works projects to commence sooner, reduce the pressure on future Crown funding and provide conservation-related investment opportunities.

Detailed area planning to accelerate delivery of a new Park Management Plan



- The MOP business case asserts emerging evidence of and insights into the specific natural hazards facing Piopiotahi Milford Sound weighed heavily on the Board's assessment of options and the choices of infrastructure to be included. Its preferred Option (Option 4) aimed to mitigate those risks. In particular, it proposed a significant shift in the visitor management approach, including a reduced footprint in Piopiotahi village itself and dispersing visitors along the corridor to encourage a steady flow of visitors in and out of Piopiotahi Milford Sound.
- NEMA is working with a range of agencies at the national and regional level to address the risk arising from potential landslide induced tsunami at Milford Sound. Recent research estimates up to 2,500 people (excluding cruise ships) could be within the inundation zone, depending on the season and time of day. Modelling indicates very few (<5%) would escape the estimated inundation zone. Previous work has shown evacuation options to be very limited and potentially ineffectual. This tsunami hazard creates a 'societal (mass fatality) risk' which scores as "unacceptable" when compared against the NZ Large Dam risk framework and UK Health & Safety Executive noting these are imperfect risk tolerance frameworks for this risk context.
- NEMA, DOC and other agencies are considering commissioning expert tsunami hazard and risk modelling. Despite this risk first being identified over 10 years ago, existing tsunami modelling is simple and is not as precise as more modern methods would provide for. New modelling could provide a more robust understanding of the likelihood and magnitude of the tsunami risk and inform further mitigation options.
- In addition to the proposed work, the same group has commissioned GNS Science to provide advice on risk communication, ensuring people who visit Milford Sound are aware they are entering a location with an increased risk of tsunami. While this advice is based on the existing limited understanding of the hazard, it allows for interim mitigation measures to be implemented. While risk communication and disclosure may have some impact on visitation numbers over time it is not expected to materially change the level of societal risk.

_

⁸ MOP business case page 18.

- The work required to progress improvements at Milford Sound can be moved along even with further risk assessment running in parallel. Phasing of the work to support on-going finer scale decision making could be undertaken.
- Doing both sets of work now (developing an activity plan for Milford along with the tsunami risk assessment work) would give concessionaires a clearer picture of future opportunities and constraints in advance of formal changes to statutory plans, so they can shape business plans accordingly. This will be especially important for concessionaires with interests in buildings and infrastructure and those developing new visitor experiences and opportunities.

Working towards a more strategic, efficient approach to concessions



Working in partnership to deliver change at Milford

- Many in the community have an active interest in improved outcomes and investment opportunities for Milford Sound Piopiotahi, Te Anau, and the wider Southland region. It will be important for the Government to collaborate with MOP stakeholders and leverage industry and commercial expertise in delivering change. Ngāi Tahu is our Treaty of Waitangi Tiriti o Waitangi (Treaty) partner in Milford Sound Piopiotahi and the relationship Ngāi Tahu has with Piopiotahi is recognised in the statutory acknowledgement for the Fiordland Coastal Marine Area and the change of name from Milford Sound. Ngāi Tahu is broadly supportive of the business case and are keen to see an increase in their physical footprint in the region and in the way their cultural narrative is owned and told. Local Iwi/Hapū representatives will be involved as this work progresses and each major workstream will consider and engage Ngāi Tahu on Treaty obligations.
- We propose ongoing engagement that seeks community views on relevant workstreams, enables progress to be monitored, and rebuilds trust through visible actions and efforts to make change.

Cost-of-living Implications

The proposed IVAC is not intended to apply to New Zealanders. The business case proposals are for a self-funded change programme with revenue drawn primarily from this charge. It is too early to quantify any wider cost-of-living implications and pressures that may arise from this work programme. Cabinet will be provided with a full cost assessment when policy decisions are sought to introduce a Milford-specific charge and/or any specific investments/actions.

Financial Implications

There are no immediate financial implications arising from this paper. DOC can administer the proposed delivery plan within current baselines. DOC intends to fund the short-term projects

-

⁹ Schedules 96 and 102 of the Ngāi Tahu Claims Settlement Act 1998.

from its capital works baseline or through IVL revenue, subject to further decisions about the allocation of IVL revenue. Longer-term projects will require additional upfront funding and Cabinet decisions will be sought on these in the future. Any financial implications from further decisions on the projects in the plan will be considered as specific investment options become clear and the design work on any local access charge or concessions approach is progressed.

Legislative Implications

There are no direct legislative implications resulting from the proposals in this paper.

Impact Analysis

Regulatory Impact Statement

This paper does not require a Regulatory Impact Statement as it does not propose the introduction of new legislation or changes to or the repeal of existing legislation. Regulatory Impact Statements will be prepared separately for any components of the Government's response that may require legislative changes.

Climate Implications of Policy Assessment

The Climate Implications of Policy Assessment (CIPA) team from the Ministry for the Environment has been consulted and confirms that the CIPA requirements do not apply to this policy proposal, as any emissions impact would be indirect. These proposals may improve infrastructure energy efficiency, shift transport modes, and change concessions on public conservation land. The CIPA team will be updated as the work progresses, and final decisions are made.

Population and Ngāi Tahu Implications

There are no immediate population implications arising from this paper. Acknowledging Ngāi Tahu's connection to the Milford Sound Piopiotahi area by bringing a historical and cultural narrative into the visitor experience, fixing the concessions system and providing opportunities for commercial and conservation activity will provide cultural and economic benefits to Māori. Sustaining a world-class experience in Milford Sound will secure significant ongoing economic benefits for the Southland District. Further implications of any changes at Milford Sound Piopiotahi will be considered in more detail when future Cabinet decisions are sought.

Human Rights

The proposals in this paper are consistent with the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993. The human rights implications of a Milford Sound Piopiotahispecific charge for visitors will be considered when Cabinet decisions are sought on this proposal.

Use of external resources

A limited number of contractors have contributed to the development of this response, generally to quickly address capacity gaps. We are aware that the Department of Conservation has engaged one contractor for three months (approx. 1 FTE in total, backfilling a vacant FTE position) to analyse the MOP business case and prepare advice to Minsters and third-party consultants on an ad-hoc basis for specialist advice.

Consultation

The following agencies were consulted during the development of this paper: Ministry of Transport, Ministry for the Environment, the Treasury, National Emergency Management Agency, Department of Internal Affairs, Ministry of Housing and Urban Development, Land Information New Zealand, Ministry for Culture and Heritage, Ministry of Justice, Ministry for Primary Industries, Ministry for Regulation, Parliamentary Counsel Office, Te Puni Kōkiri, Te Tari Whakatau, NZ Infrastructure Commission Te Waihanga, and NZ Transport Agency Waka Kotahi. The Department of the Prime Minister and Cabinet has been informed.

Communications

We will publicly announce the Government's response to the MOP business case and publicise the key information via a press release. DOC and MBIE will publish this paper and the MOP business case on both websites and distribute links through their social media platforms and other key communications channels. DOC will engage with Ngāi Tahu, the MOP Board members and key stakeholders on this response.

Proactive Release

We intend to proactively release this Cabinet paper and the MOP business case within 30 days, with redactions as required under the Official Information Act 1982.

Recommendations

The Minister of Conservation and the Minister for Tourism and Hospitality recommend that the Committee:

- note that the Milford Opportunities Project was established in 2017 to address the challenges and opportunities to manage increasing visitors at Milford Sound Piopiotahi developing a Master Plan to improve the future management and protection of Milford Sound Piopiotahi [DEV-19-MIN-0159, DEV-21-MIN-0135];
- **note** that, on 27 June 2024, the Milford Opportunities Project Board delivered a business case to the Ministers of Conservation and Tourism and Hospitality setting out projects for investment and policy, governance and organisational changes to deliver the Master Plan's objectives;
- note that, while the business case makes a clear and compelling case for change, some of the ideas reflect wider 'systemic' issues around how public conservation land is managed while others require further analysis to get right, such as how access charging might work in practice or prioritising the capital projects that represent the best investment for delivering a better world-class experience and outcomes;

Government response and immediate policy decisions

- 4 **agree** that Milford Sound Piopiotahi will continue to be part of Fiordland National Park/Te Rua-o-te-Moko and not have separate statutory governance, management and delivery entities or a separate management plan;
- **agree** that the Government will consider an amenities area for Milford Sound Piopiotahi with unique planning rules to support economic activity in the area;

- agree that the Government will not prevent cruise ship access to Milford Sound Piopiotahi and both it and public access to State Highway 94 from Te Anau to Milford will continue and remain unchanged for Government purposes at this time, with further work to consider safety, natural hazard risk, vehicle congestion, carparking issues mitigating the environmental effects of these activities and any further conditions of access.
- agree that Milford Sound Piopiotahi aerodrome will remain open at this time, with questions of long-term ownership, funding and resilience to be addressed in the future alongside the Ministry of Transport;
- 8 **note** that the Department of Conservation will deliver capital improvements at Milford Sound Piopiotahi over the next 12 to 18 months that align with the Milford Opportunities Project business case proposals;
- **note** that the Minister of Conservation and Minister for Tourism and Hospitality will consider additional projects for Milford Sound Piopiotahi that could be funded through the International Conservation and Tourism Visitor Levy (IVL), subject to further decisions about the allocation of IVL revenue as required;

Delivering change

- agree that the Minister of Conservation will lead development of the Government's response to the Milford Opportunities Project proposals, as a part of his ongoing work delivering his conservation portfolio priorities, in collaboration with the Minister for Tourism and Hospitality;
- 11 **note** the Minister of Conservation, in collaboration with the Minister for Tourism and Hospitality, will make decisions on detailed proposals for Milford Sound Piopiotahi to deliver the response set out in **Appendix Three** and will seek Cabinet's approval for any specific decisions arising from delivering this response that have significant cross-government policy or financial implications; and,
- **approve** the public release of the Milford Opportunities Project's business case and this paper as the Government's response.

Authorised for lodgement

Hon Tama Potaka Hon Louise Upston

Minister of Conservation Minister for Tourism and Hospitality